



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

October 26, 2022

Domenic Franconi
Assumption BVM School
6393 Belmont Ave.
Belmont, MI 49306

RE: License #: DC410348570
Investigation #: 2022D0607022
Assumption BVM School BAC/Preschool

Dear Mr. Franconi:

I conducted a special investigation because the child care licensing division received a complaint against your facility that related to licensing rules or law. The allegations were related to the following:

R 400.8182(3)(b-d) Ratio and group size requirements.

The details of the allegations are in the attached report. To investigate the allegations:

- I interviewed the person who made the complaint, program director, licensee designee, and child care staff members.
- I completed on-site inspections on the following dates: September 20, 2022.

As a result of this investigation, I found the following violation(s):

R 400.8125(1) Staff; volunteer; requirements.
R 400.8112(3) Comprehensive background check; fingerprinting.
R 400.8173(4)(c) Equipment.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by November 10, 2022.

You can use our [corrective action plan form](#) or create your own.

If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

During this special investigation:	Yes	No
A rule or law violation was found and a serious injury or death occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A rule or law violation was found and abuse and/or neglect of a child occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This report and any related corrective action plans must be filed in your licensing notebook. This report and any related corrective action plans will be online for parents to review under the [Statewide Search for Licensed Child Care Centers and Homes](#).

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Sincerely,



Jessica Miranda-Bevier, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa Street
 P.O. Box 30664
 Lansing, MI 48909
 (616) 498-5459

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	DC410348570
Investigation #:	2022D0607022
Complaint Receipt Date:	09/16/2022
Investigation Initiation Date:	09/19/2022
Report Due Date:	11/15/2022
Licensee Name:	Assumption BVM School
Licensee Address:	6393 Belmont Ave. Belmont, MI 49306
Licensee Telephone #:	(616) 361-5483
Administrator:	Domenic Franconi, Designee
Licensee Designee:	Domenic Franconi, Designee
Name of Facility:	Assumption BVM School BAC/Preschool
Facility Address:	6393 Belmont Belmont, MI 49306
Facility Telephone #:	(616) 361-5483
Original Issuance Date:	08/05/2014
License Status:	REGULAR
Effective Date:	02/25/2021
Expiration Date:	02/24/2023
Capacity:	50
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
The lead caregiver leaves the room consistently with a few children leaving 10 to 14 to be supervised by one staff member.	No
Additional Findings	Yes

III. METHODOLOGY

09/16/2022	Special Investigation Intake; 2022D0607022
09/19/2022	Special Investigation Initiated - Telephone
09/20/2022	Inspection Completed On-site; from 10:45am to 12:20 pm. Spoke with child care staff members (CCSM) Viki St. Martin, and licensee designee Domenic Franconi.
09/20/2022	Contact - Telephone call made; VM left for Stephanie Shell, Child Care Licensing Consultant
09/20/2022	Contact - Telephone call received; spoke with Ms. Shell
09/27/2022	Inspection Completed-BCAL Sub. Compliance
09/29/2022	Exit Conference; via telephone with Mr. Franconi
10/24/2022	Contact - Telephone call received; spoke with Ms. St. Martin

ALLEGATION: The lead caregiver leaves the room consistently with a few children leaving 10 to 14 to be supervised by one staff member.

INVESTIGATION: On September 20, 2022, I completed an unannounced on-site inspection at the facility. I spent the time observing programming. I spoke with child care staff member, Vicki St. Martin. When I arrived Ms. St. Martin and Ms. Quakenbush were supervising the children on a green space next to the playground. Ms. St. Martin informed me that there were 10 child care children in attendance but that some more children would be arriving later in the day. She said that the children enrolled in the program were aged 2 years and 9 months to 5 years. While outside Ms. St. Martin and Ms. Quakenbush ensured children stayed within sight. If children moved too far, they used reminders to have them come closer. Ms. St. Martin took a few of the children to use the bathroom leaving Ms. Quakenbush outside alone with the remainder of the children. The group was in compliance with staff to child ratio

requirements. When Ms. St. Martin returned outside with the children, the group went into the playground area to play. There were elementary aged children using the playground. There was a total of 22 children on the playground including the elementary aged children. Ms. St. Martin and Ms. Quakenbush ensured children were using age-appropriate equipment. More child care children arrived and joined the child care program on the playground. The elementary aged children went inside. Ms. Quakenbush left for the day and child care staff member Cindy Miller arrived. There were a total of 17 child care children on the playground. Ms. St. Martin had children line up by the gate and counted the children before transitioning back to the building. While walking back to the building, some of the children ran ahead on the sidewalk and turned a corner and were out of sight of Ms. St. Martin and Ms. Miller until they turned the corner and joined the children at the door. As children entered the building, Ms. St. Martin sent some children to the classroom (last room at the end of the hallway) and some to the restroom (a couple of doors down from the doorway). Ms. St. Martin and Ms. Miller were still at the door when some children arrived at the classroom and restroom. Ms. St. Martin ensured children washed their hands and used the restroom if needed. Ms. Miller ensured the children in the classroom washed their hands. After they finished washing their hands, the children looked at books and Ms. Miller read a book to some of the children. When Ms. St. Martin returned to the room with her group of children, she led the children in prayer and had the children line up to go to the gym/cafeteria for lunch. As children transitioned to the cafeteria children grabbed their lunches from their lockers. Ms. Miller washed her hands prior to leaving the room. The children sat at two tables near the door of the cafeteria and ate their lunches. Staff helped children get their lunches or open packages. As children finished eating lunch. Ms. St. Martin took eight children back to the room and nine children stayed in the cafeteria and finished lunch. A third staff member, Amanda Cusack joined the group in the cafeteria. While transitioning back to the room, the elementary students who had been on the playground entered the hallway and were walking towards the child care children. They entered the building as a mass filling the whole hallway. Some of the child care children ran ahead of Ms. St. Martin, arriving at the room ahead of her. One child got "pushed" along with the elementary students and entered the room a few seconds after Ms. St. Martin entered the room. A few minutes later, I heard a child whining in the hallway and looked out and saw a child kneeling on the floor. Ms. St. Martin also looked out toward the hallway and saw the child. She asked the child if he had been sent down from the cafeteria. I looked out in the hallway and did not see a staff member with the child or at the doorway of the cafeteria. After the rest of the group had arrived with Ms. Miller, Ms. St. Martin took a few children to the restroom. I asked Ms. St. Martin if this was the only restroom child care children used. She confirmed that this was the restroom the children typically used but that if children are on the playground, she will take them to the restrooms in the teachers' lounge since that is closer to the playground. I asked her if the teacher's lounge was approved space. She was not sure if the teacher's lounge had been previously approved. Ms. St. Martin stated that there are a few children enrolled that wear diapers. She showed me the diaper changing table. It is located in the handicap stall. There was a plastic-lined, tightly covered container for diapers. Ms. St. Martin

said she will bring the equipment from the room to wash, rinse, and sanitize the table. If the handicap stall is occupied, she will change children standing in another stall. I provided technical assistance on posting hand washing guidelines by the hand washing sinks in the bathroom and diapering guidelines near the diapering area in the bathroom.

I informed Mr. Franconi of the allegations of concerns about staff to child ratios. He stated that the program is always within the required ratios.

On October 24, 2022, I spoke with child care staff member Vicki St. Martin on the telephone. She stated she is the lead caregiver in the child care program. Ms. St. Martin stated that she does not leave the group out of ratio. Typically there are three assistants helping during programming. Which means there are more adults than required to supervise children.

APPLICABLE RULE																																	
R 400.8182(3)(b-d)	Ratio and group size requirements.																																
	<p>(3) In each room or well-defined space, the maximum group size and ratio of child care staff members to children, including children related to a staff member or the licensee, must be as shown in Table 4:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="4">TABLE 4</th> </tr> <tr> <th colspan="4">Child Care Staff Member to Child Ratios</th> </tr> <tr> <th></th> <th>Age</th> <th>Child Care Staff Member to Child Ratio</th> <th>Maximum Group Size</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Infants and toddlers, birth until 30 months of age</td> <td>1 to 4</td> <td>12</td> </tr> <tr> <td>(b)</td> <td>Preschoolers, 30 months of age until 3 years of age</td> <td>1 to 8</td> <td>16</td> </tr> <tr> <td>(c)</td> <td>Preschoolers, 3 years of age until 4 years of age.</td> <td>1 to 10</td> <td>30</td> </tr> <tr> <td>(d)</td> <td>Preschoolers, 4 years of age until school-age</td> <td>1 to 12</td> <td>36</td> </tr> <tr> <td>(e)</td> <td>School-agers</td> <td>1 to 18</td> <td>36</td> </tr> </tbody> </table>	TABLE 4				Child Care Staff Member to Child Ratios					Age	Child Care Staff Member to Child Ratio	Maximum Group Size	(a)	Infants and toddlers, birth until 30 months of age	1 to 4	12	(b)	Preschoolers, 30 months of age until 3 years of age	1 to 8	16	(c)	Preschoolers, 3 years of age until 4 years of age.	1 to 10	30	(d)	Preschoolers, 4 years of age until school-age	1 to 12	36	(e)	School-agers	1 to 18	36
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ANALYSIS:	The group was within required staff to child ratios during my on-site inspection. Child care licensing rules allows child care staff members to be away from their assigned area for brief periods of time such as toileting children. I provided technical assistance that as long as there is no significant disruption in the room, children's needs are being met, and absences are not too lengthy or too frequent it is not necessary to have a replacement child care staff member.																																
CONCLUSION:	VIOLATION NOT ESTABLISHED																																

APPLICABLE RULE	
R 400.8125(1)	Staff; volunteer; requirements.
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.

ANALYSIS:	Appropriate care and supervision is not provided when preschool aged children are allowed to run ahead of staff members and to walk from the cafeteria to the classroom without being supervised.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: On September 20, 2022, Ms. Quakenbush was left on the playground with children when Ms. St. Martin took children inside to use the restroom. On September 21, 2022, I checked the Child Care Background Check System. Ms. Quakenbush’s status in the system was “supervision only” which requires her to be supervised at all times.

On October 24, 2022, I spoke with Ms. St. Martin on the telephone. Ms. St. Martin stated she and Mr. Franconi did not realize that Ms. Quakenbush should not have been left alone with children due to her eligibility status.

APPLICABLE RULE	
R 400.8112(3)	Comprehensive background check; fingerprinting.
	(3) An individual may serve as a child care staff member pending an eligibility determination by the department under section 5n(8) of the act, MCL 722.115n, and shall be supervised at all times by the licensee or a child care staff member who has been determined eligible.
ANALYSIS:	On September 20, 2022, Ms. Quakenbush was left unsupervised with child care children while they were outside on the playground.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: During lunch in the cafeteria the children sat at cafeteria tables with benches. Some of the children in attendance are small and had to kneel on the benches or stand at the table to be able to reach the table. Children who were sitting had their feet dangling; one child’s feet were approximately six inches from the floor.

APPLICABLE RULE	
R 400.8173(4)(c)	Equipment.
	(4) Play equipment, materials, and furniture, must be all of the following: (c) Child-sized or appropriately adapted for a child's use.

ANALYSIS:	The tables used by the child care children in the cafeteria are not child-sized or adapted for their use.
CONCLUSION:	VIOLATION ESTABLISHED

During the exit conference I provided technical assistance on required group sizes, hand washing, required training or staff, and use of approved child care use spaces.

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend no change to the license status.



10/24/2022

Jessica Miranda-Bevier
Licensing Consultant

Date

Approved By:



10/26/2022

Katrice Sweet
Area Manager

Date